

ARTICLE APPEARED
ON PAGE A19NEW YORK TIMES
6 October 1986**ABROAD AT HOME**
Anthony Lewis

When We Practice to Deceive

The news that the Reagan Administration planned a campaign of disinformation against Muammar el-Qaddafi tells us two things about the institution of the Presidency. More than ever, Americans need to know what it is doing. More than ever, the President and his people try to keep us from knowing.

When Bob Woodward of The Washington Post broke the story last week, one might have expected a certain shame in the White House. Its spokesman, Larry Speakes, had evidently misled the press on Libya as part of the deception campaign. He might at least have copied Ron Ziegler and said his previous statements were inoperative.

But there was no shame. The reaction, instead, was to have F.B.I. investigators try to find out who disclosed the Government's improper activities. The assignment went to a special team of agents set up to track down leaks to the press.

In other words, if the President and his advisers are caught doing something wrong, don't blame them. Blame those who caught them: the reporters who published the story and the officials who cared enough about American principles to tell the press.

"National security" is the talismanic phrase always invoked to justify putting secrecy ahead of law and morals and common sense. But as the Libyan disinformation story unfolded, Bernard Weinraub, who covers this White House for The New York Times, pointed out a wonderful irony in its attitude.

The Reagan Administration has been extraordinarily ferocious in its condemnation of leaks, threatening

the press with criminal prosecution. But the same Administration has disclosed more sensitive intelligence information than any of its predecessors.

President Reagan, for example, told the world last spring about a highly secret U.S. intelligence technique. In justifying the bombing attack on Libya, he said that intercepted radio conversations between the Libyan Government and its mission in Germany showed involvement in the terrorist attack on a West Berlin discotheque. Some experts say the Libyans have stopped using radio for sensitive communications since then, depriving us of valuable intelligence.

The disinformation campaign against Colonel Qaddafi involved the leaking of intelligence, with some of the leaks false or distorted. President Reagan's national security adviser, John M. Poindexter, told the President in a memorandum that the plan "combines real and illusionary events — through a disinformation program — with the basic goal" of making Colonel Qaddafi believe that some of his own people and the U.S. were about to move against him.

The record shows that injury to national security is not necessarily what the Reagan White House fears when the press publishes material related to intelligence. It is worried about its own security: its political standing.

When the Administration leaks something for its own purposes, by definition that is a good leak. When an unauthorized leak discloses a wrong or foolish Government action, that is a bad leak.

None of this is particularly surprising. Politicians are in the business of power, and they use what levers they have to secure it and hang on to it. Americans have seen many examples of the misuse of secrecy and "national security" in the last 20 years.

But there is one group of people who would benefit from study of this latest episode in manipulation. That is judges. For they still are overcome by awe when Presidents invoke national security.

Over the last dozen years courts have shown slavish deference to Presidential security claims. They have even made up law to fit the asserted need.

An extreme example is the case of Samuel Loring Morison, a Navy employee who supplied a classified photograph to a magazine. The Government, conceding that the leak did no actual damage, prosecuted him under a 1917 espionage law never applied to the giving of information to the press. A Federal trial judge upheld the prosecution, in effect converting the 1917 law into what Congress has repeatedly refused to enact: a criminal law against leaks.

It is a nuisance for Presidents to have to go to Congress and show the need for a new law. It is uncomfortable to be held accountable by public scrutiny. But the American premise is that such Presidential discomfort is the price of wise policy, and of freedom. □